



Docket No. JBP-438

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Miri Seiberg, et al.

Serial No.: 09/206,249 Art Unit: 1651

Filed : July 6, 1998 Examiner: M. Meller

For : METHOD FOR REGULATING PHAGOCYTOSIS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 25, 2005  
(Date of Deposit)

Andrea L. Colby - Reg. No. 30,194  
(Name of applicant, assignee, or Registered Representative)

/Andrea L. Colby/  
(Signature)

March 25, 2005  
(Date of Signature)

Assistant Commissioner for Patents  
Washington, D.C. 20231

PETITION, AMENDMENT, STATEMENT OF ASSIGNEE AND FEE TO CORRECT  
INVENTORSHIP UNDER 37 CFR §1.48(a)

Dear Sir:

Applicants hereby petition to correct the inventorship in the above-identified patent application.

Please add the following inventor: **Michael J. Costanzo** in the above-identified patent application.

The following documents are attached hereto:

03/30/2005 BABRAHA1 00000078 100750 09206249

01 FC:1464 130.00 DA

- (1) a Statement of Facts verified by the originally named inventors establishing when the error without deceptive intention was discovered and how it occurred; and
- (2) a Declaration by each actual inventor.

Johnson & Johnson Consumer Companies, Inc., Grandview Road, Skillman, NJ 08558 hereby consents to the correction of inventorship filed herewith.

The Assignment for the above-identified patent application was submitted to the Patent and Trademark Office on May 3, 1999 (Reel No. 9933710) to Johnson & Johnson Consumer Companies, Inc., a copy of which is attached hereto.

Please charge the fee set forth in 37 CFR §1.17(h) to Deposit Account No.: 10-0750/JBP438/ALC. A triplicate copy of this sheet is attached hereto.

Respectfully submitted,

By: /Andrea L. Colby/  
Andrea L. Colby  
(Attorney for Applicants and  
Assistant Secretary,  
Johnson & Johnson  
Consumer Companies, Inc.)  
Reg. No. 30,194

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-2792  
Dated: March 25, 2005



Docket No. JBP-438

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Miri Seiberg, et al.

Serial No.: 09/206,249 Art Unit: 1651

Filed : December 7, 1998 Examiner: M. Meller

For : METHOD FOR REGULATING PHAGOCYTOSIS

Assistant Commissioner for Patents  
Washington, D.C. 20231

**STATEMENT OF FACTS UNDER 37 CFR §1.48(a)**

Dear Sir:

We, Miri Seiberg, Stanley S. Shapiro, and Magdalena Eisinger, the originally-named inventors to the above-mentioned application, declare and say:

During the preparation of the above-identified patent application, Michael J. Costanzo provided Andrea Colby, the attorney for Applicants, with some facts that suggested that he should be included as an inventor to the above-referenced application.

At the time that this application was filed, the Applicants inadvertently and without deceptive intent failed to include Mr. Costanzo as an inventor.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Date: 1/6/05 2004

Date: 1/7/05 2004

Date: 1/6/05 2004

Miri Seiberg

Stanley S. Shapiro

Magdalena Eisinger

Please type a plus sign (+) inside this box

MAR 28 2005

PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION  
AND  
POWER OF ATTORNEY  
FOR UTILITY OR DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)

Declaration Submitted with Initial Filing       Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)  
OR

Attorney Docket Number	JBP438
First Named Inventor	Miri Seiberg
COMPLETE IF KNOWN	
Application Number	09/206,429
Filing Date	December 7, 1998
Group Art Unit	1654
Examiner Name	Michael V. Meller

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS FOR REGULATING PHAGOCYTOSIS  
*(Title of the Invention)*

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) 12/07/1998 as United States Application Number or PCT International Application Number

09/206,249 and was amended on (MM/DD/YYYY)  

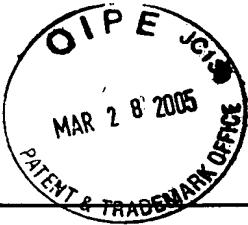
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES      NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.



### DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/069797	12/16/1997	

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
		Patented
		Patented
		Patented

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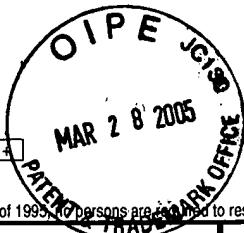
City:	State:	ZIP
Country	Telephone:	Fax:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Miri		Family Name or Surname Seiberg	
Inventor's Signature	<i>Miri Seiberg</i>	Date	1/6/05
Residence: City Princeton	State NJ	Country USA	Citizenship US and Israel
Mailing Address 168 Herrontown Road			
City Princeton	State NJ	ZIP 08540	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Stanley S.		Family Name or Surname Shapiro	
Inventor's Signature	<i>Stanley S. Shapiro</i>	Date	1/7/05
Residence: City	State NJ	Country USA	Citizenship USA
Mailing Address			
City	State NJ	ZIP	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Magdalena G.		Family Name or Surname Eisinger	
Inventor's Signature	<i>M. Eisinger</i>	Date	1/6/05
Residence: City Demarest	State NJ	Country USA	Citizenship USA
Mailing Address 30 Pine Terrace			
City Demarest	State NJ	ZIP 07627	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF FOURTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	

Given Name (first and middle [if any]) Michael J.	Family Name or Surname Costanzo		
Inventor's Signature	Date:		
Residence: City Ivyland	State PA	Country USA	Citizenship USA
Mailing Address 14 Breckenridge Drive			
City Ivyland	State PA	ZIP 18974	Country USA

Please type a plus sign (+) inside this box



PTO/SB/01 (10-00)

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POWER OF ATTORNEY  
FOR UTILITY OR DESIGN  
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Attorney Docket Number	JBP438
First Named Inventor	Miri Seiberg
<b>COMPLETE IF KNOWN</b>	
Application Number	09/206,429
Filing Date	December 7, 1998
Group Art Unit	1654
Examiner Name	Michael V. Meller

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS FOR REGULATING PHAGOCYTOSIS**

*(Title of the Invention)*

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) 12/07/1998 as United States Application Number or PCT International Application Number

09/206,429 and was amended on (MM/DD/YYYY)       

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Application Serial No.	Filing Date	Status
		Patented Patented Patented

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Name                   Registration Number

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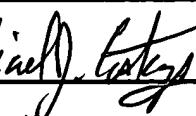
Address:

Address:

City:	State:	ZIP
Country	Telephone:	Fax:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Miri		Family Name or Surname Seiberg	
Inventor's Signature		Date	
Residence: City Princeton	State NJ	Country USA	Citizenship US and Israel
Mailing Address 168 Herrontown Road			
City Princeton	State NJ	ZIP 08540	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Stanley S.		Family Name or Surname Shapiro	
Inventor's Signature		Date	
Residence: City	State NJ	Country USA	Citizenship USA
Mailing Address			
City	State NJ	ZIP	Country USA
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<b>NAME OF THIRD INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Magdalena G.		Family Name or Surname Eisinger	
Inventor's Signature		Date	
Residence: City Demarest	State NJ	Country USA	Citizenship USA
Mailing Address 30 Pine Terrace			
City Demarest	State NJ	ZIP 07627	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			

<b>NAME OF FOURTH INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Michael J.		Family Name or Surname Costanzo		
Inventor's Signature 		Date: October 12, 2004		
Residence: City	Ivyland	State PA	Country USA	Citizenship USA
Mailing Address		14 Breckenridge Drive		
City	Ivyland	State PA	ZIP 18974	Country USA